GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:7852
ANSWERED ON:16.05.2000
DRUGS AND COSMETIC ACT
SULTAN SALAHUDDIN OWAISI

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Union Government have issued a Gazette Notification for public comments on the deletion of the Rule 2(ee) (iii) as Ultra Virus of the Drug and Cosmetics Act, 1940 as per the judgement of the Rajasthan High Court;

(b) if so, the details of the public opinion in this regard;

(c) whether the Government have since taken any decision in regard to abolition of the said Rule;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

Answer

THE MINISTER OF CHEMICAL AND FERTILIZERS

SHRI SURESH P. PRABHU

(a) to (e) Yes, Sir. A draft notification proposing to delete Rule 2 (ee)
(iii) of the Drugs and Cosmetics Rules, 1945 was issued by the Government vide GSR No. 38 (E) dated 27.01.97 in the Official Gazette. However, the vires of Rule 2 (ee)
(iii) was upheld by the Hon`ble Supreme Court of India in Civil Appeal No.89/1987 in its judgement dated 13.9.1998.As such the further processing of the draft notification did not arise.